

REMARKS

In the Office Action dated May 31, 2008, the Examiner has required an election of species for prosecution on the merits, as follows:

- 1) A genus of molecules as recited in claim 15 selected from one of the following molecules: cationic lipids, cationic polymers, lysophospholipids and polypeptides;
- 2) A genus of molecules as recited in claim 22 selected from one of the following molecules: E1, E2, E4 and LI-L5 regions of the adenoviral genome;
- 3) A genus of molecules as recited in claim 17 selected from one of the following molecules: Deletion I, II, III, IV, V and VI of the MVA genome;
- 4) A genus of molecules as recited in claims 25 and 26 selected from one of the following molecules: interleukins IL-2, IL-4, IL-7, IL-10 and IL-12, interferons, tumor necrosis factor (TNF), colony stimulating factors (CSF), IL-2 and INF γ ;
- 5) A genus of molecules as recited in claims 42 and 47 selected from one of the following molecules: IL-2 and INF γ ;
- 6) A genus of vectors as recited in claim 14 selected from one of the following: Plasmid and viral vectors; and
- 7) A genus of vectors as recited in claim 16 selected from one of the following: a pox virus, from an adenovirus, from a retrovirus, from a herpes virus, from an alphavirus, from a foamyvirus or from an adenovirusassociated virus.

In response, Applicants hereby elect the following species:

In category 1), Applicants elect *cationic lipids*.

In category 2), Applicants elect *the E1 region of the adenoviral genome*.

In category 3), Applicants elect *deletion III of the MVA genome*.

In category 4), Applicants elect *IL-2*.

In category 5), Applicants elect *IL-2*.

In category 6), Applicants elect *a viral vector*.

In category 7), Applicants elect *a poxvirus*.

Applicants submit that all of the claims in Restriction Group II (*i.e.* claims 12-29 and 39-46) encompass the elected species.

CONCLUSION

The response to the Election of Species Requirement has been made without prejudice or disclaimer to any of the non-elected subject matter. Applicants expressly reserve the right to file one or more continuation and/or divisional applications directed to any of the non-elected subject matter.

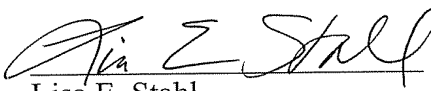
In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions related to this response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 11, 2008

By: 
Lisa E. Stahl
Registration No. 56,704

P.O. Box 1404
Alexandria, VA 22313-1404
703 838-6609